Governor's Executive Orders/Proclamations

EXECUTIVE ORDERS, PROCLAMATIONS OF GENERAL APPLICABILITY, AND STATEMENTS ISSUED BY THE GOVERNOR PURSUANT TO A.R.S. § 41-1013(B)(3)

The Administrative Procedure Act (APA) requires the full-text publication of all Executive Orders, Proclamations of General Applicability, and ceremonial dedications issued by the Governor. In addition, the *Register* shall include each statement filed by the Governor in granting a commutation, pardon or reprieve, or stay or suspension of execution where a sentence of death is imposed. With the exception of egregious errors, content (including spelling, grammar, and punctuation) of these orders has been reproduced as submitted.

* ARIZONA CRIME VICTIMS' RIGHTS WEEK *

[M14-101]

WHEREAS, over 26 million Americans are victims of crime each year and each crime affects many more, including families, friends, and communities; and

WHEREAS, crime exacts an emotional, physical, psychological, and financial toll on victims as they have lost loved ones, lifesavings, physical and mental health, and often their sense of security that has the potential to irrevocably change the course of their lives; and

WHEREAS, Arizona has been a national leader in establishing constitutional rights for crime victims, including the Arizona Crime Victims' Bill of Rights; and

WHEREAS, the Arizona Constitution preserves and protects for crime victims the rights, among others, to justice and due process, the rights to a speedy trial and to a prompt conclusion of the case after the conviction, and the rights to be present at and, upon request, to be informed of all criminal proceedings where the defendant has a right to be present and to be heard at every post arrest release decision, a negotiated plea and sentencing, and yet we know these rights, among others, are still too often denied to victims; and

WHEREAS, thirty years ago, Congress passed the Victims of Crime Act, establishing rights for crime victims and creating a fund for victim compensation and services from offender fines and fees; and

WHEREAS, we applaud the progress that our Nation and Arizona have made in restoring the balance of justice and recognizing crime's impact on victims and we also celebrate advocates and survivors who, through their determination, brought rights and resources for victims and have changed the course of history; and

WHEREAS, history teaches us that, by working together, we can help victims of crime reshape their destinies and ensure they receive the support they need, the respect they deserve, and the rights they have earned; and

WHEREAS, we recognize that much work remains if we are to achieve the protections that the Arizona Constitution guarantees to crime victims and National Crime Victims' Rights Week provides an opportunity for us to extend the vision to reach every victim, and to recommit to working together in providing the rights guaranteed to victims, to help them overcome the harm caused by crime and so that they might be treated with dignity and respect; and

WHEREAS, the State of Arizona is joining forces with victim service programs, criminal justice officials, and concerned citizens throughout Arizona and America to raise awareness of victims' rights and observe National Crime Victims' Rights Week.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim April 6 - 12, 2014 as

* ARIZONA CRIME VICTIMS' RIGHTS WEEK *

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Janice K. Brewer GOVERNOR

DONE at the Capitol in Phoenix on this fourteenth day of March in the year

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Two Thousand and Fourteen, and of the Independence of the United States of America the Two Hundred and Thirty-eighth.

ATTEST: Ken Bennett Secretary of State

* ARIZONA PEACE OFFICERS MEMORIAL WEEK * * ARIZONA PEACE OFFICERS MEMORIAL DAY *

[M14-97]

WHEREAS, the peace officers of the State of Arizona are known for their devotion and dedication to the pursuit of preserving the peace and safety of every man, woman, and child in this State; and

WHEREAS, the peace officers of the State of Arizona are engaged in a difficult and sometimes dangerous profession, which at times can lead to injury or even the death of these officers; and

WHEREAS, each day, the peace officers of the State of Arizona endeavor to reduce crime on our streets, dangers on our highways and roadways, and injury and death of our citizens, as well as protect us from all other kinds of crimes; and

WHEREAS, the peace officers of the State of Arizona also engage in crime prevention programs designed to further enhance the peace and safety of all citizens.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim May 4-10, 2014 as

* ARIZONA PEACE OFFICERS MEMORIAL WEEK *

and May 5, 2014 as

* ARIZONA PEACE OFFICERS MEMORIAL DAY *

and, I further urge all citizens of the State to recognize and remember the sacrifices that these officers and their families have made and the legacy they have entrusted to all of us.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Janice K. Brewer GOVERNOR

DONE at the Capitol in Phoenix on this tenth day of March in the year Two Thousand and Fourteen, and of the Independence of the United States of America the Two Hundred and Thirty-eighth.

ATTEST: Ken Bennett Secretary of State

* ARIZONA SMOKE-FREE DAY *

[M14-102]

WHEREAS, nationwide, 18.1% or 3.4 million high school students are current smokers; and

WHEREAS, one out of three youth smokers will ultimately die prematurely from smoking-related diseases, unless current trends are reversed; and

WHEREAS, smoking kills more than 400,000 Americans each year, representing more deaths than from AIDS, alcohol, car accidents, murders, suicides, drugs and fires combined. Most of these deaths could be prevented; and

WHEREAS, Kick Butts Day is an annual national initiative sponsored by the Campaign for Tobacco-Free Kids that makes elementary, middle and high school students leaders in the fight against youth tobacco use and exposure to secondhand smoke; and

WHEREAS, the children of Arizona will no longer tolerate the tobacco industry's efforts to manipulate them into buying

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lethal and addictive products through insidious advertising campaigns and marketing practices; and

WHEREAS, the Arizona Department of Health Services supports education, training, and advocacy of 21 youth antitobacco coalitions belonging to STAND (Students Taking a New Direction) across the State of Arizona.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim March 18, 2014 as

* ARIZONA SMOKE-FREE DAY *

and, I further urge citizens to join in efforts to raise awareness of the problem of tobacco use and exposure to secondhand smoke, and the end the tobacco epidemic for good.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Janice K. Brewer GOVERNOR

DONE at the Capitol in Phoenix on this eighteenth day of March in the year Two Thousand and Fourteen, and of the Independence of the United States of America the Two Hundred and Thirty-eighth.

ATTEST: Ken Bennett Secretary of State

* ARMENIAN REMEMBRANCE DAY *

[M14-103]

WHEREAS, throughout history, Armenians have suffered mournful losses of their population; and

WHEREAS, these needless losses have decimated the Armenian population; and

WHEREAS, those who survived have continued to hope and strive for a world free of the desire to destroy any single race of people; and

WHEREAS, traditional to the Armenian custom, April 24th has been designated as a day to remember and honor those Armenians who have lost their lives.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim April 24, 2014 as

* ARMENIAN REMEMBRANCE DAY *

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Janice K. Brewer GOVERNOR

DONE at the Capitol in Phoenix on this fourteenth day of March in the year Two Thousand and Fourteen, and of the Independence of the United States of America the Two Hundred and Thirty-eighth.

ATTEST: Ken Bennett Secretary of State

* BUILDING SAFETY MONTH *

[M14-98]

WHEREAS, building safety affects many aspects of life, and through the enforcement of construction codes, people enjoy the comfort of structures that are safe and sound; and

WHEREAS, the dedicated members of the International Code Council, in partnership with building and fire prevention

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officials, architects, engineers, and others in the construction industry, develop and enforce the codes that safeguard Americans in the buildings where we live, work, play and learn; and

WHEREAS, construction codes provide safeguards to protect the public from natural disasters that can occur all across the country, including snowstorms, hurricanes, tornadoes, wildland fires, and earthquakes, and construction codes also work to minimize other potential building catastrophes; and

WHEREAS, Building Safety Month is sponsored by the International Code Council and is an opportunity to educate the public and to increase public awareness of the role building safety and fire prevention-officials, local and state building departments, and federal agencies play in the first line of defense to protect the public; and

WHEREAS, this year's theme, "Building Safety: Maximizing Resilience, Minimizing Risks" encourages all Americans to raise awareness of the importance of building safe and resilient construction; fire prevention; disaster mitigation, backyard safety; energy efficiency and new technologies in the construction industry.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim May 2014 as

* BUILDING SAFETY MONTH *

and, I further urge everyone to consider projects to improve building safety and sustainability at home and in the community, and to acknowledge the essential service provided by local and state building departments and federal agencies in protecting lives and property.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Janice K. Brewer GOVERNOR

DONE at the Capitol in Phoenix on this tenth day of March in the year Two Thousand and Fourteen, and of the Independence of the United States of America the Two Hundred and Thirty-eighth.

ATTEST: Ken Bennett Secretary of State

* COWBOY POETRY WEEK *

[M14-104]

WHEREAS, throughout the history of Arizona, cowboy and pioneer poets have played a large part in preserving western heritage and the culture of Arizona through oral and written poetry; and

WHEREAS, the long tradition and enduring qualities of these old stories and poems demonstrate that cowboy poetry is a cherished Arizona tradition; and

WHEREAS, Arizona has produced numerous well-respected cowboy poets and has hosted major cowboy poetry events, including gatherings in Prescott, Sierra Vista, Payson, Wickenburg, and Tombstone; and

WHEREAS, recognizing the contributions of these poets dates as far back as cowboys themselves and reflects the true culture, traditions and values of this great State.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim April 20 – 26, 2014 as

* COWBOY POETRY WEEK *

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Janice K. Brewer GOVERNOR

Governor's Executive Orders/Proclamations

DONE at the Capitol in Phoenix on this fourteenth day of March in the year Two Thousand and Fourteen, and of the Independence of the United States of America the Two Hundred and Thirty-eighth.

ATTEST: Ken Bennett Secretary of State

* ENDODONTISTS AWARENESS WEEK *

[M14-99]

WHEREAS, endodontists are dentists who specialize in root canal treatment, saving more than 17 million natural teeth each year; and

WHEREAS, serious medical conditions such as heart disease, stroke, and diabetes are often related to tooth loss and poor oral health; and

WHEREAS, a survey conducted by the American Association of Endodontists (AAE) showed that patients who had root canal treatment are six times more likely to describe it as "painless" than those who have not had the treatment; and

WHEREAS, contemporary root canal therapy is aimed at dispelling these long-standing myths and hopefully reducing anxiety around the procedure; and

WHEREAS, it is important for patients to understand that root canals actually relieve tooth pain and are much more comfortable today, thanks to the specialized training of endodontists and new technology.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim March 30 – April 5, 2014 as

* ENDODONTISTS AWARENESS WEEK *

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Janice K. Brewer GOVERNOR

DONE at the Capitol in Phoenix on this tenth day of March in the year Two Thousand and Fourteen, and of the Independence of the United States of America the Two Hundred and Thirty-eighth.

ATTEST: Ken Bennett Secretary of State

* LYNCH SYNDROME HEREDITARY CANCER AWARENESS DAY *

[M14-105]

WHEREAS, Lynch syndrome, a part of hereditary nonpolyposis colorectal cancer (HNPCC), is a hereditary condition that causes greater risk of developing colorectal, endometrial, urinary tract, ovarian, pancreatic and other types of cancers; and

WHEREAS, geneticists estimate that 14,890 in Arizona and over 800,000 persons throughout the United States alone, have Lynch syndrome, including one in every 440 persons and studies show that only 5 percent of those with a family or personal history of colon cancer have been diagnosed with Lynch syndrome; and

WHEREAS, every person should know their family history and share it with their physician to determine if their family may be at high risk for hereditary cancers and every newly diagnosed colorectal cancer and endometrial cancer should be screened for Lynch syndrome characteristics to prompt risk assessment and further testing; and

WHEREAS, having knowledge of a Lynch syndrome diagnosis can increase cancer prevention through regular screening measures, and lead to earlier cancer detection and treatment; and

WHEREAS, on this day, we join together to raise awareness of Lynch syndrome in Arizona and encourage all residents to

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learn more about this hereditary condition, to collect their family history information, and to share it with their healthcare provider in order to assess individual risk and take steps toward prevention and detection.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim March 22, 2014 as

* LYNCH SYNDROME HEREDITARY CANCER AWARENESS DAY *

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Janice K. Brewer GOVERNOR

DONE at the Capitol in Phoenix on this twelfth day of March in the year Two Thousand and Fourteen, and of the Independence of the United States of America the Two Hundred and Thirty-eighth.

ATTEST: Ken Bennett Secretary of State

* PARKINSON'S AWARENESS MONTH *

[M14-106]

WHEREAS, Parkinson's disease is a chronic, progressive, neurological disease and is the second most common neurodegenerative disease in the United States; and

WHEREAS, there is inadequate data on the incidence and prevalence of Parkinson's disease, but it is estimated to affect 500,000 to 1,500,000 people in the United States and the prevalence will more than double by 2040; and

WHEREAS, Parkinson's disease is the 14th leading cause of death in the United States according to the Centers for Disease Control and Prevention, and 545 Arizonans died of this disease in 2011; and

WHEREAS, it is estimated that the economic burden of Parkinson's disease is at least \$14.4 billion annually, including indirect costs to patients and family members of \$6.3 billion; and

WHEREAS, research suggests the cause of Parkinson's disease is a combination of genetic and environmental factors, but the exact cause and progression of the disease is still unknown; and

WHEREAS, there is no objective test or biomarker for Parkinson's disease, and the rate of misdiagnoses can be high; and

WHEREAS, the symptoms of Parkinson's disease vary from person to person and can include tremors; slowness of movement and rigidity; difficulty with balance, swallowing, chewing, and speaking; cognitive impairment and dementia; mood disorders, such as depression and anxiety, constipation; skin problems; and sleep difficulties; and

WHEREAS, there is no cure, therapy, or drug to slow or halt the progression of Parkinson's disease; and

WHEREAS, local, regional, and state volunteers, researchers, and medical professionals are working to improve the quality of life of persons living with Parkinson's disease and their families; and

WHEREAS, increased education and research is needed to find more effective treatments with fewer side effects and ultimately a cure for Parkinson's disease.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim April 2014 as

* PARKINSON'S AWARENESS MONTH *

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Janice K. Brewer

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GOVERNOR

DONE at the Capitol in Phoenix on this twelfth day of March in the year Two Thousand and Fourteen, and of the Independence of the United States of America the Two Hundred and Thirty-eighth.

ATTEST: Ken Bennett Secretary of State

* PUBLIC SAFETY APPRECIATION DAY *

[M14-107]

WHEREAS, our law enforcement officers are the guardians of life and property, defenders of the individual right to be free, warriors in the battle against crime and are dedicated to the preservation of life and property; and

WHEREAS, our firefighters respond to fire alarms, disasters and emergency medical calls to protect life and property; and conduct necessary inspections of residential and commercial structures for fire prevention and pre-fire planning purposes; and

WHEREAS, on April 26, 2014, the Saint Joseph Assembly, Fourth Degree Knights of Columbus will conduct its 10th Annual Awards Dinner honoring the Fire and Police Departments for the Cities of Glendale and Peoria and Military Police and Fire Department for Luke Air Force Base in recognition of its dedicated service to our communities.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim April 26, 2014 as

* PUBLIC SAFETY APPRECIATION DAY *

and, I further urge Arizonans to join in giving proper recognition to our public safety men and women who protect and serve the people of this great State.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Janice K. Brewer GOVERNOR

DONE at the Capitol in Phoenix on this fourteenth day of March in the year Two Thousand and Fourteen, and of the Independence of the United States of America the Two Hundred and Thirty-eighth.

ATTEST: Ken Bennett Secretary of State

* REGISTERED DIETITIAN DAY *

[M14-100]

WHEREAS, Registered Dietitian Nutritionists are the food and nutrition experts who can translate the science of nutrition into practical solutions for healthy living; and

WHEREAS, Registered Dietitian Nutritionists have degrees in nutrition, dietetics, public health or a related field from well-respected, accredited colleges and universities, completed an internship and passed an examination; and

WHEREAS, Registered Dietitian Nutritionists use their nutrition expertise to help individuals make unique, positive lifestyle changes; and

WHEREAS, Registered Dietitian Nutritionists work throughout the community in hospitals, schools, public health clinics, nursing homes, fitness centers, food management, food industry, universities, research and private practice; and

WHEREAS, Registered Dietitian Nutritionists are advocates for advancing the nutritional status of Americans and people around the world.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim March 12, 2014 as

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* REGISTERED DIETITIAN DAY *

and, I further encourage all citizens to recognize the contributions of Registered Dietitians and express appreciation for their commitment to promoting science-based nutrition in the hope of achieving optimum health for both today and tomorrow.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Janice K. Brewer G O V E R N O R

DONE at the Capitol in Phoenix on this tenth day of March in the year Two Thousand and Fourteen, and of the Independence of the United States of America the Two Hundred and Thirty-eighth.

ATTEST: Ken Bennett Secretary of State

EXECUTIVE ORDER 2012-03

State Regulatory Review, Moratorium and Streamlining To Promote Job Creation and Retention

Editor's Note: This Executive Order is being reproduced in each issue of the Administrative Register until its expiration on December 31, 2014, as a notice to the public regarding state agencies' rulemaking activities.

[M12-226]

WHEREAS, my first official action as Governor was to institute a regulatory rule making review and moratorium process ("regulatory review and moratorium") in order to prevent any additional burdens on Arizona's private sector employers and political subdivisions; and

WHEREAS, this rule making review and moratorium process has continued by session law or executive order to this day; and

WHEREAS, a predictable regulatory climate in this State will promote job creation and retention; and

WHEREAS, Arizona's efforts are being rewarded, such as being ranked as one of the top ten best states for business in a survey of chief executive officers this year, the eighth best for job growth in the last year, and the top state for innovators starting new business; and

WHEREAS, last January, I determined that State agencies needed to quicken the pace on streamlining existing rules and reducing wasted time in regulatory processes to increase Arizona's economic competitiveness and job creation, while still protecting public health, safety and the environment; and

WHEREAS, the 50th Legislature passed and I signed into law House Bill 2744 (2012 Arizona Laws, Chapter 352) which permits a state agency to conduct expedited rulemaking to streamline existing rules; and

WHEREAS, this expedited rulemaking authority will be used, in part, by State agencies to implement the "lean" waste reduction initiative I announced last January to increase the efficiency and service quality of State agencies; and

WHEREAS, I encourage the general public and regulated community to bring forward ideas to State agencies and the Governor's Regulatory Review Council on what rules need to be streamlined and how that can be best achieved while still protecting public health, safety and the environment; and

WHEREAS, the current regulatory review and moratorium expires on June 30, 2012.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, by virtue of the authority vested in me by the Constitution and laws of this State hereby declare the following:

- 1. A state agency, subject to this Order pursuant to Paragraph 4, shall not conduct any rule making except as permitted by this Order. The objective of this Order is to eliminate any unnecessary increased monetary or regulatory costs on employers, persons, individuals, other state agencies, or political subdivisions of this State. This prohibition includes any informal rule making prior to the commencement of the formal rule making process.
- 2. Paragraph I does not apply to state agency rule making for any one or more of the following reasons:

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- a. To fulfill an objective related to job creation in this State.
- b. To lessen or ease a regulatory burden while achieving the same regulatory objective.
- c. To prevent a significant threat to the public health, peace or safety.
- d. To avoid a violation of a court order or federal law that would result in sanctions by a court or federal government against an agency for failure to conduct the rulemaking action.
- e. To comply with a federal statutory or regulatory requirement or a state statutory requirement if the applicable statute or regulation contains a date certain for compliance on or before December 31, 2014 or is necessary under subparagraph (c) of this paragraph.
- f. To fulfill an obligation related to fees or any other action necessary to implement the state budget that is certified by the Governor's Office of Strategic Planning and Budgeting.
- g. To promulgate a rule or other item that is exempt from Title 41, Chapter 6, Arizona Revised Statues, pursuant to section 41-1005, Arizona Revised Statutes.
- h. To address matters pertaining to the control, mitigation or eradication of waste, fraud or abuse within a state agency or wasteful, fraudulent or abusive activities perpetrated against a state agency.
- 3. A state agency, subject to this Order pursuant to Paragraph 4, shall not conduct any informal or formal rule making pursuant to Paragraph 2 or otherwise without the prior written approval of the Office of the Governor.
- 4. This order applies to all state agencies, except for: (a) any state agency that is headed by a single elected state official, (b) the Corporation Commission, or (c) any state agency whose agency head is not appointed by the Governor.
- 5. All state officials and state agencies that are not subject to this Order pursuant to Paragraph 4 are encouraged to participate voluntarily within the context of their own rule making process.
- 6. State agencies may continue a rule making that was authorized by the Office of the Governor on or after January 22, 2009. All state agencies, subject to this Order pursuant to Paragraph 4, shall report to the office of the Governor by July 31, 2012 all pending and anticipated rule making requests. Beginning fiscal year 2013 all state agencies shall submit to the Office of the Governor by the end of each fiscal year an annual report of all pending and anticipated rule making to Office of the Governor.
- 7. This Order does not confer any legal rights upon any persons and shall not be used as a basis for legal challenges to rules, approvals, permits, licenses or other actions or to any inaction of a state agency.
- 8. For the purposes of this executive order, "person," "rule" and "rule making" have the same meanings prescribed in section 41-1001, Arizona Revised Statutes.
- 9. This Executive Order expires on December 31, 2014.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona.

Janice K. Brewer GOVERNOR

DONE at the Capitol in Phoenix, Arizona this 26th day of June in the year Two Thousand Twelve, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

ATTEST: Ken Bennett Secretary of State